

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

Plaintiff,

vs.

(1) JONATHAN LINARES LUMBRERAS

(3) EDWARD CLINTON SMITH

Defendant,

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§
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No.: SA:24-CR-00363(1,3)-FB

FORM NOTICE TO:

- (A) **WAIVE PERSONAL APPEARANCE AT ARRAIGNMENT AND ENTER PLEA OF NOT GUILTY, OR ALTERNATIVELY PROVIDE STATEMENT REGARDING CONSENT TO ARRAIGNMENT BY VIDEO TELECONFERENCE;**

WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT AND ENTRY OF PLEA OF NOT GUILTY

NOW COMES Defendant in the above-referenced case who, along with his/her undersigned attorney, hereby acknowledges the following:

1. Defendant has received a copy of the charging document in this case.
2. Defendant has read the charging document or had it read to him/her.
3. Defendant understands he/she has the right to appear personally with his/her attorney before a Judge for Arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he/she will be so arraigned in open Court.

Defendant, having conferred with his/her attorney in this regard, hereby waives personal appearance with his/her attorney at the arraignment of this case and the reading of the charging document and, by this instrument, tenders his/her plea of "not guilty". The defendant understands that entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes. Defendant request the Court accept his/her waiver of appearance and enter a plea of "not guilty."

Date

8-14-24

X

Defendant

/s/ Albert A Flores

Name of Attorney for Defendant (Print)

Date

/s/ Albert A. Flores
Signature of Attorney for Defendant

IF A WAIVER FORM IS NOT SUBMITTED, THE DEFENDANT AND DEFENDANT'S ATTORNEY MUST APPEAR FOR THE ARRAIGNMENT AS SCHEDULED.

**STATEMENT REGARDING CONSENT TO ARRAIGNMENT BY
VIDEO TELECONFERENCE**

The U.S. Magistrate Judge may conduct arraignment by video teleconference if the defendant consents. *See* FED. R. CRIM. P. 10(c).

PLEASE INDICATE YOUR CONSENT OR NON-CONSENT TO AN ARRAIGNMENT BY VIDEO TELECONFERENCE BELOW:

_____ I CONSENT TO ARRAIGNMENT BY VIDEO TELECONFERENCE

_____ I DO NOT CONSENT TO ARRAIGNMENT BY VIDEO TELECONFERENCE

_____	X
Date	Defendant
_____	Name of Attorney for Defendant (Print)
Date	Signature of Attorney for Defendant

NO RESPONSE OR OMISSION OF THIS PAGE WILL BE INTERPRETED AS AN INDICATION THAT THE DEFENDANT INTENDS TO CONSENT TO THE MAGISTRATE JUDGE CONDUCTING THE ARRAIGNMENT BY VIDEO TELECONFERENCE.